

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|--------------------------|---|----------------------------------|
| FERNANDO GUIZAR, |) | No. C 05-0557 MMC (PR) |
| |) | |
| Plaintiff, |) | ORDER DENYING APPOINTMENT |
| |) | OF COUNSEL |
| v. |) | |
| |) | |
| JENNIE WOODFORD, et al., |) | |
| |) | |
| Defendants. |) | (Docket No. 27) |

Plaintiff Fernando Guizar, currently incarcerated at California State Prison, Corcoran and proceeding pro se, filed the above-titled civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff alleges that officials at Salinas Valley State Prison (“SVSP”) violated his constitutional rights in validating him as a gang member and placing him in administrative segregation (“SHU”). Defendants’ motion for summary judgment, which plaintiff has opposed, is currently pending.

Plaintiff has filed a request for appointment of counsel. There is no constitutional right to counsel in a civil case such as this. See Lassiter v. Dep’t of Social Services, 452 U.S. 18, 25 (1981). Rather, pursuant to 28 U.S.C. § 1915, a district court has the power to “request” that counsel represent a litigant who is proceeding in forma pauperis. 28 U.S.C. § 1915(e)(1). To date, plaintiff has been able to present his claims, which do not appear to be particularly complex, in an adequate manner, and there are no exceptional circumstances


1 warranting appointment of counsel at this time. Should the circumstances of the case
2 materially change, the Court may reconsider plaintiff's request *sua sponte*.

3 Accordingly, plaintiff's motion for appointment of counsel is DENIED.

4 This order terminates Docket No. 27.

5 IT IS SO ORDERED.

6 DATED: January 5, 2007

7 
8 MAXINE M. CHESNEY
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28